

REMARKS

Claim 1-22 and 25 and 26 are presently pending; claims 23 and 24 have been cancelled. Claims 27-36 are withdrawn.

The undersigned thanks the examiner and his supervisor for granting a telephonic interview on April 3, 2007 to discuss the final rejection of February 8, 2007. The examiners suggested providing a Statement of Common Ownership to obviate the outstanding rejections under 35 U.S.C. § 103 involving the two Chang et al patents as primary references. The Cekada et al. references used to reject certain claims under 35 U.S.C. § 102(b) and other dependent claims under 35 U.S.C. § 103(a) were discussed. The examiners suggested the insertion of the limitation of claim 24 into claim 1 in the form of a Markush group to overcome the Cekada et al. patents. The present amendment comports with the telephonic interview.

The rejection of claims 1-3, 5, 6, 8-10, 13 and 14 under 35 U.S.C. § 102(b) over Cekada et al. US 3,455,435 and 3,433,780 is now moot by the present amendment, which adds a sequestering agent defined by a Markush group from original claim 24. Accordingly, claims 23 and 24 have been cancelled and claim 25 made dependent on claim 1. The Cekada patents are silent with regards to sequestering agents.

The rejection of claims 4, 7, 21 and 22 under 35 U.S.C. § 103(a) over the Cekada patents is also obviated by the present amendment. The Cekada patents do not suggest the use of sequestering agents.

The rejection of the pending claims under 35 U.S.C. § 103(a) over the Chang et al. patents: US 6,736,857 and 6,802,870 both in view of Rees, US 5,284,597 should be withdrawn in view of the attached Statement of Common Ownership indicating that at the time the present invention was made, the present application and the Chang et al. patents were commonly owned.

In view of the above, it is respectfully submitted that all outstanding issues have been resolved. The examiner is authorized to cancel the withdrawn claims without prejudice after favorable consideration of the pending claims.

U.S. Patent Application Serial No. 10/815,277
Request for Reconsideration filed April 4, 2007
Reply to Office Action of February 8, 2007

It is respectfully submitted that the present claims are in condition for allowance; prompt passage to issue is earnestly solicited.

If the Examiner believes that a discussion would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

By: 
Ronald A. Daignault, Esq.
Reg. No. 25,968

Date: April 4, 2007

